

Appl. No. : 10/785,420  
Filed : February 23, 2004

## REMARKS

Claims 4 and 5 have been canceled without prejudice to further prosecution. Claims 1-3, and 6 have been amended to clarify the claims. No new material has been added. Entry of the amendments and reconsideration of the rejections in light of the following remarks is requested.

### Discussion of the Drawings

The drawings are objected to as containing unreadable small characters. The drawings have been replaced by the attached replacement sheets. Accordingly, Applicant requests withdrawal of the objections.

### Discussion of Claim Rejections Under 35 U.S.C. § 101

Claim 3 is rejected under 35 U.S.C. § 101 as being directed to non-statutory matter. Claim 3 has been amended to be directed to statutory subject matter of a computer readable medium. Accordingly, Applicant requests withdrawal of the rejection.

### Discussion of Claim Rejections Under 35 U.S.C. § 102

Claims 1-3 and 6 are rejected under 35 U.S.C. §§ 102(b) or 102(e) as being anticipated by Narasimhan et al. (U.S. 6,446,192), Horbal (U.S. 6,112,246), and Boudou (U.S. 6,839,756).

The Narasimhan, Horbal, and Boudou references, however, do not describe all of the features of Claim 1. For example, the cited art does not describe a method of transferring generic data acquired at a remote location to a central database based on e-mail communication, where the method includes sending the electronic mail through a public or private network to a central database server without use of gateway architecture by using an architecture for Internet communication software for embedded platforms, wherein the architecture for Internet communication software for embedded platforms is based on a network of software multiplexers and demultiplexers controlled by an integrated protocol engine. Accordingly, Applicant respectfully submits that Claim 1 is in condition for allowance. Furthermore, Applicant respectfully submits that Claims 2 and 3 are in condition for allowance for reasons similar to those discussed above with regard to Claim 1. In addition, Applicant does not necessarily agree with the characterization of the cited art with regard to Claim 6, and submits that Claim 6 is in

Appl. No. : 10/785,420  
Filed : February 23, 2004

condition for allowance because of the features which it inherits from Claim 2 and for its own features.

Narasimhan describes the functionality and architecture of an integrated circuit (IC) that performs a number of networking functions, among which is web server function. The IC is used as a co-processor in an embedded system and, as such, incorporates the TCP/IP protocol stack in hardware. The architecture of the TCP/IP protocol stack is not described. The IC connects to the embedded processor through a hardware interface. The embedded processor hosts the software to control the IC and its integrated networking functions. Narasimhan is silent at least regarding an architecture for Internet communication software for embedded platforms based on a network of software multiplexers and demultiplexers controlled by an integrated protocol engine.

Horbal describes a system and method for accessing an embedded device where the device acts as a web (HTTP) server. Using a standard browser, functionality supported by the device can be accessed through a series of web pages served by the device, for instance to modify parameters or to review settings. Horbal does not describe the architecture of the TCP/IP protocol stack. Instead, it describes an Application Programming Interface (API) to simplify the software development effort associated with network programming. Horbal is silent at least regarding an architecture for Internet communication software for embedded platforms based on a network of software multiplexers and demultiplexers controlled by an integrated protocol engine.

Boudou describes a chip card reader that provides a web interface to access (activate) applications hosted by the chip card. Horbal is also silent at least regarding an architecture for Internet communication software for embedded platforms based on a network of software multiplexers and demultiplexers controlled by an integrated protocol engine.

Accordingly, Applicant respectfully submits that Claims 1-3 and 6 are in condition for allowance.

The Examiner is reminded that “whenever, on examination, any claim for a patent is rejected, or any objection . . . made, notification of the reasons for rejection and/or objection together with such information and references as may be useful in judging the propriety of continuing the prosecution (35 U.S.C. 132) should be given.” *M.P.E.P. § 707*. The Applicant submits that the Examiner’s summary rejection of the claims, without citing to specific portion(s) of the above references, amounts to depriving the applicant of the opportunity to respond

Appl. No. : 10/785,420  
Filed : February 23, 2004

completely and with particularity as to why the claims are patentable. Thus, if the Examiner wishes to sustain the rejection of the claims based on the same reference(s), the Examiner is requested to “clearly articulate any rejection early in the prosecution process so the applicant has the opportunity to provide evidence of patentability and otherwise respond completely at the earliest opportunity.” *See M.P.E.P. § 706.* More particularly, the Examiner is requested to provide the Applicant with specific citations to the reference(s) and to explain where and how the reference(s) anticipates the claims. If so, the Applicant should be entitled to have at least one opportunity to respond without having the burden of filing a request for continued examination (RCE).

#### Conclusion

Applicant has endeavored to address all of the Examiner’s concerns as expressed in the outstanding Office Action. In light of the above amendments and remarks, reconsideration and withdrawal of the outstanding rejections is respectfully requested. If the Examiner has any questions which may be answered by telephone, he is invited to call the undersigned directly.

Although the present communication may include alterations to the application or claims, or characterizations of claim scope or referenced art, Applicant is not conceding in this application that previously pending claims are not patentable over the cited references. Rather, any alterations or characterizations are being made to facilitate expeditious prosecution of this application. Applicant reserves the right to pursue at a later date any previously pending or other broader or narrower claims that capture any subject matter supported by the present disclosure, including subject matter found to be specifically disclaimed herein or by any prior prosecution. Accordingly, reviewers of this or any parent, child or related prosecution history shall not reasonably infer that Applicant has made any disclaimers or disavowals of any subject matter supported by the present application.

Appl. No. : 10/785,420  
Filed : February 23, 2004

Please charge any additional fees, including any fees for additional extension of time, or credit overpayment to Deposit Account No. 11-1410.

Respectfully submitted,

KNOBBE, MARTENS, OLSON & BEAR, LLP

By: \_\_\_\_\_

  
John M. Carson  
Registration No. 34,303  
Attorney of Record  
Customer No. 20,995  
(619) 235-8550

Dated: 9/26/08

5971267\_1  
092308